

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 15, 1956
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. JOHN LEE SMITH, Highland Park Baptist Church, 5206 Park Crest.

Councilman White moved that the Minutes of November 8, 1956 be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager, W. T. Williams, Jr., be and he is hereby authorized and directed to execute renewals of The Airport Agreements between the City of Austin and Braniff Airways, Incorporated, Continental Air Lines, Inc., and Trans-Texas Air Lines, for terms of three years, based upon the new landing fees, charges, and rentals placed in effect July, 1956.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MR. HENRY TAYLOR, 1012 Gaston, MRS. WRIGHT STUBBS, 1001 Gaston, MRS. G. W. STUMBERG, MRS. RAY FALTONSON, 1004 Gaston, MR. CHARLES NASH, MRS. JAMES T. PAUL ROBISON, and MRS. JOHN NASH, SR., appeared before the Council protesting the moving of the O. Henry Museum and the Honeymoon House to the location on Lamar Boulevard. The Council after discussing this matter at great length, and after having gone into the details thoroughly, felt that the location as previously voted, was a good location and would in no wise affect the neighborhood adversely.

The Council had before it the following zoning application deferred from November 8th:

W. ELLIOTT McVEY	902 East 49th Street 4901-03 Airport Boulevard	From "A" Residence To "GR" General Retail RECOMMENDED by the Planning Commission
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Councilman Pearson moved the approval of the "GR" General Retail Zoning as recommended. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to bring in the necessary ordinance.

Mr. Smartt stated he would get the deed restrictions changed before the building was started.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON THE NORTH 78 FEET OF THE WEST 27.5 FEET OF LOT 7, AND THE NORTH 78 FEET OF THE EAST 14 FEET OF LOT 8, BLOCK 153, ORIGINAL CITY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

MR. R. E. JAMES, JR., came before the Council regarding the taking of sand from the river bank between the Railroad Bridge and Lamar Bridge. The Electric Superintendent stated the area had filled in and the sand would have to be removed, and that the Company had assured them that they would work with the City all during the operation. The Mayor stressed that this work be done under close supervision of the City--that the depths are proper and that proper protection be given to the dam. He also asked that the dirt that is taken out be placed on the City fill. Mr. James stated he would put this on city property. After discussion, Councilman White moved that the execution of a contract between the City and JAMES GRAVEL COMPANY for the excavation of sand and gravel in the area between Lamar Bridge and the Railroad Bridge in keeping with the sketch that was submitted, and under the supervision and direction of the City Manager; to be done within a six month period, be authorized. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in DUNLAP STREET from Reyna Street to South Congress Avenue, the centerline of which gas main shall be $6\frac{1}{2}$ feet south of and parallel to the north property line of said DUNLAP STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in MOSS STREET from a point 38 feet west of Airport Boulevard easterly to Airport Boulevard, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said MOSS STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in AIRPORT BOULEVARD, from Moss Street northerly 66 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet east of and parallel to the west property line of said AIRPORT BOULEVARD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in COMETA STREET, from East 12th Street northerly 102 feet, the centerline of which gas main shall be $6\frac{1}{2}$ feet west of and parallel to the east property line of said COMETA STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Palmer, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduits in the streets in the City of Austin hereafter named and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduits in the following streets:

- (1) An underground telephone conduit in LAMAR BOULEVARD, from a point 90 feet south of St. Johns Avenue to Stobaugh Street, the centerline of which underground telephone conduit shall be 15 feet east of and parallel to the west property line of said LAMAR BOULEVARD.
- (2) An underground telephone conduit in LAMAR BOULEVARD, from a point 550 feet north of Anderson Lane northerly to Powell Circle, the centerline of which underground telephone conduit shall be 14 feet east of and parallel to the west property line of said LAMAR BOULEVARD.
- (3) An underground telephone conduit crossing LAMAR BOULEVARD from a point on a line 14 feet east of the west property line of Lamar Boulevard in an easterly direction at right angles to the centerline of Lamar Boulevard, to a point on a line 14 feet west of the east property line of Lamar Boulevard, which point is 4 feet southerly from the southeast corner of the intersection of Powell Lane and LAMAR BOULEVARD.
- (4) An underground telephone conduit in LAMAR BOULEVARD, from Powell Lane northerly to the present City Limit Line, the centerline of which underground telephone conduit shall be 14 feet west of and parallel to the east property line of said LAMAR BOULEVARD.

THAT the work and construction of said underground telephone conduits, including the excavation of the streets and the restoration and maintenance of said streets after said underground telephone conduits have been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an easement for public utilities 10 feet in width was reserved and dedicated to the public between Lots 33 and 34 of Block D, Barton Hills, Section 2 on the map or plat of said Barton Hills, Section 2, a subdivision of a part of the Henry P. Hill League in the City of Austin, Travis County, Texas, according to the map or plat of said Barton Hills, Section 2, of record in Volume 7, at page 150 of the Plat Records of Travis County, Texas; and,

WHEREAS, an electric pole line and guy wire have been erected upon the north portion of this easement area; and,

WHEREAS, the owner of these two lots, and lots adjoining on either side, desires to resubdivide this area; and,

WHEREAS, the hereinafter described portion of said easement is not now needed for public utilities and will not be required by the City of Austin, save and except for the north 30 feet herein retained, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager be and is hereby authorized to execute a release of the easement for public utilities located on the hereinafter described premises, to wit:

- (1) The West Five (5) feet of Lot 33 of said Barton Hills, Section 2, save and except the north thirty (30) feet of said west five (5) feet of said Lot 33.
- (2) The east five (5) feet of Lot 34 of said Barton Hills Section 2, save and except the north thirty (30) feet of the said east five (5) feet of said Lot 34.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.704 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White moved that MR. R. L. STRUHALL, JR., be appointed as a member of the Board of Adjustment. (Vacancy created by resignation of Chester Buratti). The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Pearson moved that MR. BILL PETRI be appointed as a member of the Austin Housing Authority (for the unexpired term of MR. W. G. CLARKSON, deceased, expiring December 27, 1957). The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: None
Present but not voting: Councilman Long (not in the room at this time)

The Mayor announced that the off-street parking (extension of exempted areas) would be considered by the Council next week.

The City Manager submitted the request of the Yellow Cab Company to change the color scheme of their cars. Councilman Long moved that the change of color scheme of the Yellow Cab Company to all yellow bodies with black lettering be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted a proposal in paving Berkman Drive, a border street between an old subdivision and a subdivision that is being developed, and recommended that the subdivider pay 2/3rds of the cost and the city 1/3rd, and he explained the economy of this recommendation. Councilman White moved to go ahead with the paving on Berkman Drive as recommended by the City Manager. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Assistant City Manager submitted a request of MRS. RALPH WOLF to bring in one lot of her property into the City Limits--the lot being adjacent to the City Limit Line, on the north side of Jain Lane near the east end of Jain Lane. Councilman White moved that the annexation proceedings be authorized.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

There being no further business the Council adjourned at 1:00 P.M.
subject to the call of the Mayor.

APPROVED

Tom Miller

Mayor

ATTEST:

Elain Hasley
City Clerk